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8 Attorneys for Defendant and Cross-Complainant  
9 SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 MARGIE CHERRY and ESTORIA  
13 CHERRY on behalf of themselves and all  
14 others similarly situated,

15 Plaintiffs,

16 vs.

17 THE CITY COLLEGE OF SAN  
18 FRANCISCO ("City College"); et al.

19 Defendants.

20 SAN FRANCISCO COMMUNITY  
21 COLLEGE DISTRICT,

22 Cross-Complainant,

23 vs.

24 SWINERTON & WALBERG COMPANY, a  
25 California corporation; VANIR  
26 CONSTRUCTION MANAGEMENT, INC., a  
27 California corporation; PATRI, BURLAGE,  
28 MERKER ARCHITECTS, a California  
corporation, and its successor-in-interest;  
PATRI.MERKER ARCHITECTS, INC., a  
California corporation; NIBBI BROS. INC, a  
California corporation, and ROES 1-20,

Cross-Defendants.


Case No.: C04-4981 WHA

**STIPULATION FOR AND ORDER  
DISMISSING CROSS-COMPLAINT,  
WITH PREJUDICE**

[Fed.R.Civ.Proc. , Rule 41(c)]

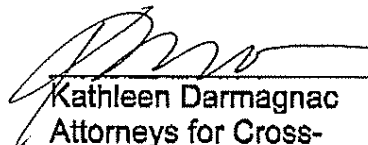
Pursuant to Rule 41(c) of the Federal Rules of Civil Procedure, IT IS HEREBY  
STIPULATED by and between the parties to this action through their designated  
counsel of record, that the Cross-Claim filed on June 1, 2006, and amended on  
September 15, 2006, by cross-complainant/defendant SAN FRANCISCO COMMUNITY  
COLLEGE DISTRICT against cross-defendant VANIR CONSTRUCTION  
MANAGEMENT, INC., shall be dismissed, with prejudice, each side to bear her or its  
own attorneys' fees and costs of suit.

Dated: March 9, 2007

  
H.VINCENT MCLAUGHLIN  
Attorney for Cross-Defendant Vanir  
Construction

Dated: March 9, 2007

STUBBS & LEONE

  
Kathleen Darmagnac  
Attorneys for Cross-  
Complainant/Defendants  
SAN FRANCISCO COMMUNITY  
COLLEGE DISTRICT

The cross-claim by SAN FRANCISCO COMMUNITY COLLEGE DISTRICT  
against cross-defendant VANIR CONSTRUCTION MANAGEMENT, INC., is dismissed,  
with prejudice, each party to bear her or its attorneys' fees and costs.

**IT IS SO ORDERED:**

DATED: March 15, 2007

  
Honorable William H. Alsup  
United States District Judge